

REMARKS

Applicant requests favorable reconsideration and withdrawal of the rejections set forth in the April 24, 2008 Office Action in view of the foregoing amendments and the following remarks.

Claims 1-7, 9 and 11-15 are now pending, with claims 1 and 15 being independent claims. Claim 1 has been amended and claims 14 and 15 are new. Support for the amendments and new claims can be found throughout the originally-filed disclosure, including, for example, at paragraphs 0004, 0049, 0057, and 0059 of the specification. Accordingly, Applicant submits that the amendments and new claims do not include new matter.

Claim 1 is rejected in the Office Action under 35 U.S.C. § 103(a) as being unpatentable over VanLeeuwen (U.S. Patent Application Pub. No. 2002/0123949) in view of Davis (U.S. Patent Application Pub. No. 2004/0193491). Claims 2-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over VanLeeuwen in view of Davis, and further in view of Ogilvie (U.S. Patent No. 6,631,358). Claims 9, 11, and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over VanLeeuwen in view of Davis, and further in view of Postrel (U.S. Patent No. 6,594,640). Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over VanLeeuwen in view of Davis, and further in view of Brose (U.S. Patent Application Pub. No. 2005/0004856).

Applicant respectfully traverses the rejections. Nevertheless, without conceding the propriety of the rejections and solely to expedite prosecution, Applicant has amended independent claim 1 to even further clarify differences between the claim invention and cited references. To this end, Applicant submits that the invention recited in amended independent claim 1, as well as new independent claim 15, is patentably distinguishable from the cited references for at least the following reasons.

The Office Action cites VanLeeuwen as disclosing a method that includes several features of the claimed invention, including, inter alia, providing at least one recommendation that includes suggestions for minimizing user debt payments and maximizing user savings.

Assuming, arguendo, that VanLeeuwen discloses such features of the claimed invention, Applicant submits that VanLeeuwen does not specifically disclose providing a recommendation that includes paying less than the current bill on a debt, as recited in amended independent claim 1. To the extent that VanLeeuwen refers to the current bill on a debt, the reference appears to suggest that the current bill is paid in full. For example, at paragraph 0045 VanLeeuwen suggests that at least a minimum payment (a “bill”) should be on a debt. Moreover, at paragraph 0066, VanLeeuwen suggests that the minimum payment should be made in the specific case of credit card debt. On the other hand, VanLeeuwen does not at any point suggest paying less than the current bill on a debt, as recited in amended independent claim 1.

With respect to new independent claim 15, Applicant submits that VanLeeuwen does not disclose or suggest a payment hierarchy that includes at least one user identified bill that is to be paid before a portion of user income is transferred to a user savings account, and at least one user identified bill that is to be paid after a portion of the user income is transferred to the user savings account. VanLeeuwen refers to applying income to a savings account at paragraphs 0085-0088. The reference, however, does not appear to suggest identifying bills that are to be paid both before and after a portion of income is transferred to a savings account. Instead, VanLeeuwen notes, for example, that only “[a]fter a user’s debts are paid off . . . payments can be applied to a retirement or other future planning.” VanLeeuwen, paragraph 0087.

Applicant further submits the secondary citations to Davis, Ogilvie, Postrel, and Brose, fail to cure the deficiencies of VanLeeuwen. The secondary references are cited as

disclosing certain features of the claimed invention. These references, however, fail to disclose or suggest the above-noted features recited in independent claims 1 and 15 that are not found in VanLeeuwen.

For at least the foregoing reasons, Applicant submits the references cited in the Office Action, whether taken individually or collectively, fail to suggest the invention recited in independent claims 1 and 15.

Dependent claims 2-7, 9, and 11-14 also should be deemed allowable, in their own right, for further defining other patentable features of the present invention in addition to those recited in independent claims 1 and 15. Further individual consideration of the dependent claims is requested.

Applicant submits that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the objection and rejections set forth in the Office Action, and a Notice of Allowability are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address listed below

Respectfully submitted,

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